

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:19-CV-129-D

RANDY DINGLE,

Plaintiff,

v.

BENJAMIN KHAN, et al.,

Defendants.

**ORDER**


On March 16, 2020, the court dismissed Randy Dingle's ("Dingle" or "plaintiff") claims [D.E. 137], and closed the case. See [D.E. 138]. On March 27, 2020, Dingle moved to recuse Judge Gates from the case [D.E. 139]. No defendant responded.

The court construes Dingle's filing as a motion for reconsideration concerning this court's dismissal order and judgment of March 16, 2020. See [D.E. 137, 138]. The court has considered Dingle's motion for reconsideration under the governing standard. See Fed. R. Civ. P. 59(e); Zinkand v. Brown, 478 F.3d 634, 637 (4th Cir. 2007); Bogart v. Chapell, 396 F.3d 548, 555 (4th Cir. 2005); Pac. Ins. Co. v. Am. Nat'l Fire Ins. Co., 148 F.3d 396, 403 (4th Cir. 1998); Hughes v. Bedsole, 48 F.3d 1376, 1382 (4th Cir. 1995). The court denies the motion as baseless. See Belue v. Leventhal, 640 F.3d 567, 572–76 (4th Cir. 2011).

Alternatively, Dingle's motion fails to meet Rule 60(b)'s threshold requirements and is denied as baseless. See id.; Fed. R. Civ. P. 60(b); Aikens v. Ingram, 652 F.3d 496, 500–01 & n.3 (4th Cir. 2011) (en banc); Robinson v. Wix Filtration Corp. LLC, 599 F.3d 403, 412 n.12 (4th Cir. 2010); Nat'l Credit Union Admin. Bd. v. Gray, 1 F.3d 262, 264 (4th Cir. 1993); cf. Luxama v. McHugh, 675 F. App'x 272, 273 (4th Cir. 2017) (per curiam) (unpublished).

In sum, the court DENIES the motion for reconsideration [D.E. 139] as baseless. The case remains closed.

SO ORDERED. This 4 day of May 2020.

  
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JAMES C. DEVER III  
United States District Judge